



2005 SENATE BILL 383

October 13, 2005 - Introduced by Senators OLSEN and KANAVAS, cosponsored by Representatives KRAWCZYK, HINES, HAHN, VAN ROY, TOWNSEND and LEHMAN. Referred to Committee on Education.

- 1 **AN ACT** *to renumber and amend* 121.54 (3); and *to create* 121.54 (3) (a) 1. to
2 4. of the statutes; **relating to:** transportation of children with disabilities.

Analysis by the Legislative Reference Bureau

Current law requires each school board to provide transportation for a child with a disability to any public or private elementary or high school, to the school operated by the Wisconsin Center for the Blind and Visually Impaired or the school operated by the Wisconsin Educational Services Program for the Deaf and Hard of Hearing, or to any special education program for children with disabilities sponsored by a state college or university.

This bill instead requires that each school board provide transportation to the school the child with a disability attends if the child has an individualized education program requiring such transportation, if the child resides fewer than two miles from the school, if the child has been placed in the private school by a school board, and if the child's parent or guardian has not refused a school board's placement of the child in a public school.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SENATE BILL 383**SECTION 1**

1 **SECTION 1.** 121.54 (3) of the statutes is renumbered 121.54 (3) (a) (intro.) and
2 amended to read:

3 121.54 **(3)** (a) (intro.) Every school board shall provide transportation for
4 children with disabilities, as defined in s. 115.76 (5), to ~~any public or private~~
5 ~~elementary or high school, to the public or private school operated by the Wisconsin~~
6 ~~Center for the Blind and Visually Impaired or the school operated by the Wisconsin~~
7 ~~Educational Services Program for the Deaf and Hard of Hearing or to any special~~
8 ~~education program for children with disabilities sponsored by a state tax-supported~~
9 ~~institution of higher education, including a technical college, regardless of distance,~~
10 ~~if the request for such transportation is approved by the state superintendent.~~
11 ~~Approval shall be based on whether or not the child can walk to school with safety~~
12 ~~and comfort~~ the child attends if all of the following are true:

13 **(b)** Section 121.53 shall apply to transportation provided under this subsection.

14 **SECTION 2.** 121.54 (3) (a) 1. to 4. of the statutes are created to read:

15 121.54 **(3)** (a) 1. The child has an individualized education program under s.
16 115.787 that requires transportation to school.

17 2. The child resides fewer than 2 miles from the school.

18 3. The child has been placed in the private school by a school board.

19 4. The child's parent or guardian has not refused a school board's placement of
20 the child in a public school.

21 **SECTION 3. Initial applicability.**

22 (1) This act first applies to the transportation of pupils in the school year
23 beginning after the effective date of this subsection.

24

(END)